

# **IDAPA 08 – STATE BOARD OF AND STATE DEPARTMENT OF EDUCATION**

## **08.02.02 - RULES GOVERNING UNIFORMITY**

**DOCKET NO. 08-0202-1605**

### **NOTICE OF RULEMAKING - PROPOSED RULE**

**AUTHORITY:** In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 33-1006, and 33-1501 through 33-1512, Idaho Code.

**PUBLIC HEARING SCHEDULE:** Public hearing(s) concerning this rulemaking will be held as follows:

October 13, 2016 - 6:00 PM  
Lewis and Clark State College  
Williams Conference Center  
Clearwater Room  
500 8<sup>th</sup> Avenue  
Lewiston, ID 83501

October 17, 2016 - 6:00 PM  
College of Western Idaho  
Nampa Campus  
Aspen Building, Room 108  
6002 Birch Lane  
Nampa, ID 83687

October 24, 2016 - 6:00 PM  
Marshall Public Library  
Minnie Howard Community Room  
113 S. Garfield Avenue  
Pocatello, ID 83204

The hearing site(s) will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency address below.

**DESCRIPTIVE SUMMARY:** The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

The National School Transportation Specifications and Procedures were changed and approved at the 16th National Congress on School Transportation in May of 2015. The revised edition of the Standards for Idaho School Buses and Operations reflects the changes from the national level. Additional language was added to increase clarification, and to reflect manufacturing or operational procedures. The changes to the Standards for Idaho School Buses and Operations include: the format of school bus specifications as well as the actual specifications, alternative fuels, school bus inspections, general operations, disabilities-special health care, Idaho School Bus Withdrawal from Service Standards, and others. The rule would reflect a new approval date of the Standards for Idaho School Buses and Operations by the State Board of Education.

**FEE SUMMARY:** The following is a specific description of the fee or charge imposed or increased: N/A

**FISCAL IMPACT:** The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year as a result of this rulemaking: N/A

**NEGOTIATED RULEMAKING:** Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was conducted. The Notice of Intent to Promulgate Rules - Negotiated Rulemaking was published in the May 4, 2016, Idaho Administrative Bulletin, Volume 16-5, page 42.

**INCORPORATION BY REFERENCE:** Pursuant to Section 67-5229(2)(a), Idaho Code, the following is a brief synopsis of why the materials cited are being incorporated by reference into this rule:

Because of the number of pages within the document, the republication of the text would be unduly cumbersome and expensive. A complete copy of the Standards for Idaho School Buses and Operations, the incorporated by reference document, can be found on our website at [sde.idaho.gov/topics/admin-rules/](http://sde.idaho.gov/topics/admin-rules/). The document is currently incorporated by rule and is being updated from the 2011 edition to the 2016 edition.

**ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS:** For assistance

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on technical questions concerning the proposed rule, contact Doug Scott, Director of Student Transportation, at (208) 332-6856 or [ddscott@sde.idaho.gov](mailto:ddscott@sde.idaho.gov).

Anyone may submit written comments regarding this proposed rulemaking. All written comments must be directed to the undersigned and must be delivered on or before August 24, 2016, or during the scheduled public hearings.

DATED this 30<sup>th</sup> day of June, 2016.

Sherri Ybarra, Superintendent of Public Instruction  
650 West State Street, 2nd Floor  
PO Box 83720  
Boise, ID 83720-0027  
Office: (208) 332-6800 Fax: (208) 334-2228

**IDAPA 08  
TITLE 02  
CHAPTER 02**

**08.02.02 - Rules Governing Uniformity**

**004. Incorporation By Reference.**

The State Board of Education adopts and incorporates by reference into its rules: (5-8-09)

**01. Idaho Standards for the Initial Certification of Professional School Personnel as approved on August 13, 2015.** Copies of this document can be found on the Office of the State Board of Education website at <http://www.boardofed.idaho.gov>. (3-25-16)

**02. Standards for Idaho School Buses and Operations as approved on ~~June 23, 2011~~ June 16, 2016.** The Standards for Idaho School Buses and Operations are available at the Idaho State Department of Education, 650 W. State St., Boise Idaho, 83702 and can also be accessed electronically at <http://www.sde.idaho.gov>. (~~3-29-12~~)( )

**03. Operating Procedures for Idaho Public Driver Education Programs as approved on August 15, 2013.** The Operating Procedures for Idaho Public Driver Education Programs are available at the Idaho State Department of Education, 650 W. State St., Boise, Idaho, 83702 and can also be accessed electronically at <http://www.sde.idaho.gov>. (3-20-14)